

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

BRITTANY MINTER,

Plaintiff,

v.

Case No. 6:23-cv-161-RBD-DCI

CITY OF COCOA BEACH;
MATTHEW LAFLEUR; and
MATTHEW EASTMAN,

Defendants.

ORDER


U.S. Magistrate Judge Daniel C. Irick previously ordered the *pro se* Plaintiff to show cause why she should not be sanctioned for her failure to appear at a hearing, warning her that failure to respond may result in dismissal. (Doc. 33.) She never responded, and Defendant City of Cocoa Beach moved to compel discovery from her or to dismiss the case for failure to prosecute. (Doc. 37.) On referral, Judge Irick entered a Report and Recommendation submitting that the Court should dismiss the case for failure to prosecute due to Plaintiff's failure to respond to his show cause order and should deny the City's motion as moot. (Doc. 38 ("R&R").) The parties did not object and the time has passed, so the Court examines the R&R for clear error only. *See Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding none, the R&R is due to be adopted.

Accordingly, it is **ORDERED AND ADJUDGED**:

1. The R&R (Doc. 38) is **ADOPTED AND CONFIRMED** and made a part of this Order in its entirety.
2. This case is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.
3. The City's motion (Doc. 37) is **DENIED AS MOOT**.
4. The Clerk is **DIRECTED** to close the file.

DONE AND ORDERED in Chambers in Orlando, Florida, on August 27, 2023.




ROY B. DALTON, JR.
United States District Judge